

Daniel E. Gustafson (*admitted Pro Hac Vice*)
Dennis J. Stewart, CA Bar No. 99152
David A. Goodwin (*admitted Pro Hac Vice*)

GUSTAFSON GLUEK, PLLC

600 B Street, Suite 1700

San Diego, CA 92024

Tel.: (612) 333-8844

Fax: (612) 339-6622

dgustafson@gustafsongluek.com

dstewart@gustafsongluek.com

dgoodwin@gustafsongluek.com

Scott D. Hirsch (*admitted Pro Hac Vice*)
SCOTT HIRSCH LAW GROUP, PLLC

6810 N. State Road 7

Coconut Creek, FL 33073

Tel.: (561) 569-7062

scott@scotthirschlawgroup.com

Attorneys for Plaintiff and Others Similarly Situated

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOHN CASTORINA, individually and
on behalf of all others similarly situated,

Plaintiff,

vs.

BANK OF AMERICA, N.A., and
INTEGON NATIONAL INSURANCE
COMPANY,

Defendants.

Case No.: 2:21-CV-02004-WBS-KJN

**STIPULATION FOR STAY
OF LITIGATION**

HON. WILLIAM B. SHUBB

1 Plaintiff John Castorina (“Plaintiff”) and Defendant Bank of America, N.A.
2 (“Defendant”) (collectively, the “Parties”), by their undersigned counsel, hereby stipulate and
3 agree as follows:
4

5 On October 29, 2021, Plaintiff John Castorina filed his Complaint [ECF No. 1].

6 On January 12, 2022, Defendant Bank of America, N.A. filed a Motion to Dismiss [ECF
7 No. 15-1].
8

9 On March 7, 2022, Defendant Integon National Insurance Company filed a Motion to
10 Dismiss [ECF No. 20].
11

12 On March 21, 2022, Plaintiff John Castorina filed two memorandums in opposition to
13 Defendants’ Motions to Dismiss [ECF Nos. 21, 22].
14

15 On April 11, 2022, Defendants Bank of America, N.A. and Integon National Insurance
16 Company filed separate memoranda in support of their respective Motions to Dismiss [ECF
17 Nos. 23, 24].
18

19 On May 6, 2022, this Court issued a Memorandum and Order Granting, in part, and
20 Denying, in part, Defendants’ Motions to Dismiss, and allowing Plaintiff twenty (20) days to
21 file a second amended complaint [ECF No. 27].
22

23 On May 24, 2022, Plaintiff John Castorina and Defendant Bank of America, N.A.
24 stipulated and agreed to a 21-day extension for Plaintiff to investigate factual issues raised by
25 Defendant, and, if applicable, file the Amended Complaint by June 15, 2022 [ECF No. 29].
26

27 On June 14, 2022, Plaintiff’s counsel has learned that Plaintiff has undergone a
28 significant unforeseen medical emergency and is presently unable to communicate with counsel.

1 On June 14, 2022, the Parties conferred and agreed to a sixty (60) day stay of all
2 deadlines.

3 On August 10, 2022, the Parties conferred and agreed to an additional thirty (30) day stay
4 of all deadlines in light of Mr. Castorina's continuing medical recovery.
5

6 The Parties agree that this temporary stay will not prejudice either Party.

7 Now, therefore, the Parties respectfully request that the Court enter an Order reflecting
8 the stay set forth in this Stipulation.
9

10
11
12
13
14
15 **[PROPOSED] ORDER**

16 **IT IS SO ORDERED:**

17 All deadlines in this pending litigation are hereby stayed for sixty (60) days.
18

19
20 Dated: _____

21 Hon. William B. Shubb
22 United States District Judge
23
24
25
26
27
28

1 Respectfully submitted,

2 Dated: August 11, 2022

s/David A. Goodwin

Daniel E. Gustafson (#202241)

Dennis J. Stewart (#99152)

David A. Goodwin (#386715)

GUSTAFSON GLUEK PLLC

Canadian Pacific Plaza

120 South 6th Street, Suite 2600

Minneapolis, MN 55402

Tel: (612) 333-8844

Fax: (612) 339-6622

E-mail: dgustafson@gustafsongluek.com

dstewart@gustafsongluek.com

dgoodwin@gustafsongluek.com

Scott D. Hirsch (*admitted Pro Hac Vice*)

SCOTT HIRSCH LAW GROUP, PLLC

6810 N. State Road 7

Coconut Creek, FL 33073

Tel.: (561) 569-7062

scott@scotthirschlawgroup.com

Attorneys for Plaintiff

John Castorina

1 Dated: August 11, 2022

/s/Danielle Oakley Morris

Danielle Oakley Morris

O'MELVENY & MYERS LLP

610 Newport Center Drive, 17th Floor

Newport Beach, California 92660

Tel: (949) 823-6900

Fax: (949) 823-6994

doakley@omm.com

William K. Pao

Brittany Rogers

O'MELVENY & MYERS LLP

400 South Hope Street

Los Angeles, California 90071

Tel: (213) 430-6000

Fax: (213) 430-6407

Attorneys for Defendant

Bank of America, N.A.

17 **CERTIFICATE OF SERVICE**

18 I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically
19 filed on August 11, 2022, with Clerk of the Court using CM/ECF which caused a copy to be
20 served on all counsel of record.
21

22
23
24 Dated: August 11, 2022

By: /s/David A. Goodwin

David A. Goodwin